

36. Bed and Breakfast Establishments

(See zoning ordinance [§ 78-402.7\(d\)](#), *Bed and Breakfast Establishment*, [§ 78-202.3](#), *Special Exceptions*, and [§ 78-701](#), *Definitions*.)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.

Where does Herndon allow bed and breakfast establishments?

Bed and breakfast establishments may be established

- ☐ In owner- or operator-occupied single family detached homes, including normal residential accessory structures existing as of March 1, 2007;
- ☐ In the R-15 and R-10 zoning districts; and
- ☐ In the Heritage Preservation Overlay District (map available for reference at the Herndon Municipal Center.)

Are land use permits required to begin operation of a bed and breakfast establishment?

Yes. Permits include:

- ☐ Special Exception subject to approval by the Planning Commission and Town Council.
- ☐ Certificate of Occupancy, obtained from the Building Official.
- ☐ Zoning Inspection Permit, obtained from the Department of Community Development.
- ☐ Business and Professional Occupation License, obtained from the Department of Finance.

Residences operating as a bed and breakfast establishment must meet the applicable code regulations for building safety, health, and sanitation.

What is involved in obtaining a Special Exception?

Bed and breakfast establishments are permitted only with a Special Exception, requiring a public hearing with the Planning Commission and the Town Council (*see User Guide #4, Special Exceptions*.) The applicant must complete a Special Exception application along with all information specified in [§ 78-202.3](#). Information submitted

with the application must show how the use will meet the standards described below, and it must include a general plan of the site as well as a traffic impact study.

In addition to the submittal requirements described in [§ 78-201.3](#), the application for the special exception shall include:

- ☐ A report by the town's Building Official, based on an inspection of the property by the Building Official, about building modifications that are needed, if any, to comply with Building Code requirements for use of the property as a bed and breakfast establishment under the Virginia Uniform Statewide Building Code and Section 310 of the International Building Code.
- ☐ On-site lighting. On-site lighting shall be shielded to prevent adverse off-site impact.

What are the land use standards for bed and breakfast establishments?

Many of the regulatory standards for bed and breakfast establishments in Herndon allow the safe operation of a revenue-producing establishment in harmony with its context in a residential neighborhood. It is imperative that the residential character of the surrounding neighborhood is not compromised by the presence of the bed and breakfast. To that end, standards include:

1. The exterior of the single-family dwelling in which the bed and breakfast establishment is operated shall maintain its single-family dwelling character.
2. The maximum number of guest rooms on any one property is three and the maximum number of guests permitted on any given date is six.
3. A bed and breakfast establishment shall not include an eating establishment; however, breakfast and light fare may be provided for resident guests.

4. No cooking shall be permitted in guest rooms and no accessory food preparation area shall be permitted for the use of the bed and breakfast establishment.
5. The maximum rental term allowed for a specific guest is seven days within any six month period. Each establishment shall maintain an accurate record of each individual guest and the duration of the guest's stay. Such records may be requested and reviewed by the Town upon notice.
6. Commercial vehicle traffic to the facility for services such as laundry, food delivery, and refuse collection shall not exceed that customarily associated with a single-family detached dwelling.
7. On-site features (such as swimming pools, outdoor seating areas, outdoor dining areas, or parking) used specifically for the operation of the bed and breakfast establishment shall be screened to minimize impact on adjacent properties used for residences.
8. Commercial use or rental of the property for business meetings, seminars, receptions, or similar events or activities shall not be permitted. Non-

commercial activities additional to simple lodging and breakfast service anticipated by the applicant to be associated with the bed and breakfast must be included specifically with the Special Exception application.

9. Guest parking shall be on a paved surface, except use of alternative pavements such as brick pavers and porous pavement in accordance with [§ 78-500.3\(k\)\(4\)](#), *Standards for Alternative Materials*, is encouraged and permitted.
10. Guest parking shall not be stacked on-site. All guest vehicles shall have free access and circulation without being blocked by other vehicles on the site.
11. The parking requirement for a bed and breakfast establishment is stated in [§ 78-500.3](#), *Minimum Off-Street Parking Standards* and is in addition to the parking required for the structure as a single-family detached dwelling.
12. Parking spaces used to fulfill the parking requirement for a bed and breakfast establishment shall meet the standards for residential uses in [§ 78-500](#), *Off-Street Parking and Loading*.

Need more information?

Have a question regarding required permits, the permit process, or application requirements? Call 703-787-7380 or e-mail community.development@herndon-va.gov to make an appointment to see a member of the Department of Community Development.

Have a question regarding Building Permits or construction codes? Call 703-435-6850 or e-mail buildinginspections@herndon-va.gov to make an appointment to see the Building Official.

Visit the Planning/Zoning page on the Town's web site at www.herndon-va.gov to view the Department of Community Development web site for the Zoning Ordinance User Guide series or to access the town code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

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